



**STATE OF MONTANA
DEPARTMENT OF CORRECTIONS
YOUTH COMMUNITY CORRECTIONS**

YOUTH ON-SITE HEARING GUIDE

Done	Activity
<input type="checkbox"/>	Identify all present; allow only:
<input type="checkbox"/>	The youth
<input type="checkbox"/>	Parent(s), guardian(s), custodian(s) or their representative(s);
<input type="checkbox"/>	Youth's legal counsel
<input type="checkbox"/>	Juvenile Parole Officer
<input type="checkbox"/>	Department personnel and counsel
<input type="checkbox"/>	Hearings Officer
<input type="checkbox"/>	Tape or Digitally (Audio) record the entire hearing
<input type="checkbox"/>	Label the tape or digital file with name of youth and date of hearing
<input type="checkbox"/>	Retain the recording for at least one month in case a transcript is needed
<input type="checkbox"/>	If youth appeals to the District court, provide a transcript of the hearing to the District Court
<input type="checkbox"/>	Establish:
<input type="checkbox"/>	The youth has been served notice of hearing
<input type="checkbox"/>	The youth has document stating evidence against
<input type="checkbox"/>	Youth's plea to the allegation and description in own words of the allegation
<input type="checkbox"/>	Youth's plea not made with duress or promises
<input type="checkbox"/>	The youth has had time to consult with counsel
<input type="checkbox"/>	Read aloud:
<input type="checkbox"/>	Violations and supporting evidence
<input type="checkbox"/>	Present:
<input type="checkbox"/>	Documentation (Court Order, UA/BA, Parole Agreement, Police Reports)
<input type="checkbox"/>	Questions:
<input type="checkbox"/>	Youth regarding each violation
<input type="checkbox"/>	Juvenile Parole Officer regarding each violation
<input type="checkbox"/>	Juvenile Parole Officer recommendations
<input type="checkbox"/>	Legal Counsel input
<input type="checkbox"/>	Youth response to recommendations
<input type="checkbox"/>	Determine if there is a preponderance of evidence the youth has committed serious and/or habitual violation of parole conditions
<input type="checkbox"/>	At the conclusion of the hearing, the Hearings Officer will make a verbal statement of findings and decision but may choose not to inform the youth at the hearing location if there is concern over aggressive action.
<input type="checkbox"/>	The Hearings Officer will notify the youth of findings within 24 hours of the conclusion of the hearing. The Hearings Officer will inform the youth and Legal Counsel that the youth's Parole eligibility date will be determined by the Length of Stay Committee at the facility after the youth returns to the facility.
<input type="checkbox"/>	If the decision is to amend the youth's parole agreement, use YCC 100-4 (K). The youth will be placed in accordance with the Hearings Officer's decision.
<input type="checkbox"/>	The youth, attorney, and parent(s), guardian(s), custodian(s), or their representative(s) will be notified they have five working days to appeal the decision to the Director of Corrections. If there is an appeal, the youth will be returned to the facility and await the decision of the Director.
<input type="checkbox"/>	Present written findings (within three working days of the hearing) detailing the basis and reason for the decision reached to the superintendent of the correctional facility, the Youth Community Corrections Bureau Chief, the Juvenile Parole Officer, the youth, the youth's parent(s), guardian(s), custodian(s) or their representative(s) and the youth's attorney.
<input type="checkbox"/>	If revoking, complete and sign revocation order